

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4732 of 1986

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge? : NO

JASHBHAI B PATEL

Versus

DANGS DIST PANCHAYATS

Appearance:

MR MANOJ N POPAT for Petitioner
MR JC SHETH for Respondent No. 1
NOTICE SERVED for Respondent No. 2

CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 06/08/1999

ORAL JUDGEMENT

In this petition under Article 226 of the Constitution, the petitioner has challenged the order dated 30.8.1986 passed by the District Health Officer and District Family Welfare Medical Officer, Dang District Panchayat, Ahwa terminating the petitioner's services from the post of compounder on the ground that the petitioner was not selected by the District Panchayat

Service Selection Committee as the petitioner was not a registered pharmacist. The impugned order also states that the petitioner was earlier appointed on 8.4.1983 on temporary basis subject to the condition that when the District Panchayat Service Selection Committee advertises the post and conducts examination, the petitioner will have to appear at the examination. The petitioner was held to be ineligible for appointment to the post of compounder under the District Panchayat on the ground that the petitioner was not a registered pharmacist.

2. In view of the above, no fault can be found with the impugned decision terminating the petitioner's services. The petition is, therefore, dismissed.

Rule is discharged with no order as to costs.

Sd/-

August 6, 1999 (M.S. Shah, J.)

sundar/-